

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

FILED BY *POB* D.C.

05 DEC 16 PM 12:44

ROYAL SURPLUS LINES INSURANCE COMPANY,)
Plaintiff,)

THE INSURANCE COMPANY OF THE STATE OF)
PENNSYLVANIA, and)
NEW HAMPSHIRE INSURANCE COMPANY,)
Intervening Plaintiffs,)

v.)

SOFAMOR DANEK GROUP, INC.,)
Defendant / Counter-Plaintiff.)

No. 97-2499 Ma V

- and-

SOFAMOR DANEK GROUP, INC.,)
Plaintiff,)

v.)

THE INSURANCE COMPANY OF THE STATE OF)
PENNSYLVANIA, and)
NEW HAMPSHIRE INSURANCE COMPANY,)
Defendants.)

No. 02-2471 Ma V ✓

ORDER GRANTING JOINT MOTION TO COMPEL

Before the court is the November 22, 2005 joint motion of SOFAMOR DANEK GROUP, INC. ("SDG"), THE INSURANCE COMPANY OF THE STATE OF PENNSYLVANIA ("ISOP") and NEW HAMPSHIRE INSURANCE COMPANY ("NHIC") (collectively referred to as the "parties") for an order pursuant to Fed. R. Civ. P. 37, compelling responses to interrogatories and requests for production. The Court finds that all parties to this action consent to the entry of this order and that the motion should therefore be granted for good cause shown.

IT IS THEREFORE ORDERED that:

1) Sofamor Danek Group, Inc., shall provide responses to the following discovery within 60 days of the entry of this order:

ISOP's FIRST SET OF INTERROGATORIES: Interrogatory Numbers 6, 7, and 8;

NHIC's FIRST SET OF INTERROGATORIES: Interrogatory Numbers 6, 7 and 8;

NHIC and ISOP's JOINT SECOND SET OF INTERROGATORIES: Interrogatory Numbers 1 and 3;

ISOP and NHIC's JOINT THIRD SET OF INTERROGATORIES: Interrogatory Numbers 1 and 2;

NHIC's FIRST REQUEST FOR PRODUCTION: Request Numbers 5, 6, 8, 14, 18, 19, 20, 21, 22 and 23;

ISOP's FIRST REQUEST FOR PRODUCTION: Request Numbers 5, 6, 8, 14, 18, 19, 20, 21, 22 and 23;

NHIC and ISOP's JOINT SECOND REQUEST FOR PRODUCTION: Request Numbers 1, 2, 3, 4, 5, 6 and 7;

ISOP and NHIC's JOINT THIRD REQUEST FOR PRODUCTION: Request Numbers 3, 4, 5, 7, 8, 9, 10 and 11.

2) New Hampshire Insurance Company and the Insurance Company of the State of Pennsylvania shall provide responses to the following discovery within 60 days of the entry of this order:

SDG's REQUEST FOR PRODUCTION: Request Number 5, 10, 17, and 27-45. Numbers 27 through 45 need only be responded to as to disputed claims.

It is so ORDERED, this 15th day of December, 2005.


DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 39 in case 2:02-CV-02471 was distributed by fax, mail, or direct printing on December 19, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT